



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 45
Comm #: 53403-3359-00
BRRTS #: 03-52-152689
Site Name: North West Properties III, LLC
Site Address: 1400 Durand Ave., Racine, 53403

Site Manager: Shanna Laube
Address: 9531 Rayne Rd., Suite 4
City, State Zip: Sturtevant, WI 53177-1833
Phone: (262) 884-2341
e-mail: Shanna.Laube@Wisconsin.gov

Bid Manager: Stephen Mueller
Address: 101 W. Pleasant St., Suite 100A
City, State Zip: Milwaukee, Wisconsin 53212-3963
Phone: (414) 220-5402
e-mail: Stephen.Mueller@Wisconsin.gov

Bid-Start Date:	September 18, 2006
Questions must be received by (See Section 2 (B)):	October 2, 2006, 4:00 PM
Responses will be posted by (See Section 2 (B)):	October 20, 2006
Bid-End Date and Time:	November 3, 2006, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Action Legal-Milwaukee, 757 N. Broadway, Suite 200, Milwaukee, WI 53202

Phone: (414) 276-2679

Fax: (414) 276-1529

SECTION 2 – Site-Specific Bid Requirements

A) Bid Manager Comments

1) General Comments:

The site is a former bulk petroleum storage facility located at 1400 Durand Ave., in a commercial area in the City of Racine. On December 13, 1982, three 12,000- to 21,000-gallon un/leaded gasoline and three 16,000 to 29,000-gallon #1 and #2 fuel oil aboveground storage tanks (ASTs) were permanently removed from the site. The site is currently unused, except for miscellaneous storage.

The former ASTs were located in a north-south line starting approximately 30 feet south of a storage building on the site (Figure 1). Along the south edge of the site is a 13-foot tall concrete retaining wall that abuts the north side of Durand Ave. (State Highway 11). The east side of the site is bounded by a heavily vegetated Chicago & Northwestern railroad right-of-way with in-use tracks. To the immediate west is a conditionally closed site (Advanced Mechanical Contractors, BRRS # 03-52-097578, Commerce # 53403-3361-02). Other than an asphalt maintenance road and the site storage building, the former AST portion of the site is unpaved.

Site investigation activities have included installation of 10 direct-push soil borings (May 1997), 5 drilled soil borings with 4 completed as groundwater monitoring wells (July 1998), and 4 hand-augered soil borings completed as small-diameter temporary wells (February 1999).

Site soils reportedly consist of poorly-sorted gravelly sand (possibly disturbed native soil or fill) to a depth of 4 to 10 feet below ground surface (bgs), underlain by silty sand to silt to a depth of 12 feet bgs, which in turn is underlain by a gray lean clay with trace gravel (glacial till) to a depth of greater than 40 feet bgs. Depth to groundwater ranges from 8 to 11 feet bgs, and reported groundwater flow direction has been consistently north to south.

Petroleum free-product has been measured in monitoring well MW-4 (0.19-3.74 feet), located in the center of the former AST area, during all sampling rounds; intermittently in surrounding wells MW-1 (0.02-1.56 feet), MW-2 (0.02-0.57 feet), and MW-3 (0.06-0.62 feet); and has not been detected in temporary wells (TW-1 through TW-4) and in peripheral wells installed for the neighboring Advanced Mechanical Contractors site (MW-6 through MW-8). Free-product thickness fluctuates inversely with the rise and fall of the groundwater table.

No remedial actions other than several free-product bailing events have been undertaken to date. However, based on analytical results for groundwater samples collected from the free-product wells, the petroleum appears to be highly weathered (at least 23 years old) and not leaching high levels of contaminants to groundwater. For example, in July 2004 (latest sampling round), MW-4 contained 3.74 feet of free-product; however, the concentrations of benzene (420 µg/L), ethylbenzene (100 µg/L), naphthalene (490 µg/L), trimethylbenzenes (930 µg/L), and xylenes (705 µg/L) were about two orders of magnitude lower than “fresh” fuel-water partitioning levels.

2) Minimum Remedial Requirements:

General Summary of Scope of Work: Task 1 – install two (2) additional shallow groundwater monitoring wells to evaluate the downgradient extent and migration of free-product, Task 2 – determine the degree and extent of shallow soil contamination (0 to 4-

feet bgs) beneath the former AST system, Task 3 – collect free-product and groundwater samples for laboratory analysis of fluid properties, Task 4 – conduct four (4) rounds of quarterly groundwater natural attenuation monitoring, Task 5 – conduct hydraulic conductivity testing, Task 6 – properly dispose of wastes, Task 7 – submit documentation and reports, and Task 8 – web reporting.

TASK 1: Groundwater Monitoring Well Installation (2 wells)

Obtain right-of-entry agreements and/or permits from the City of Racine, and/or other government or private parties as necessary for the installation of the additional monitoring wells. Contact the WDNR case manager immediately if difficulties obtaining access occur.

For pedestrian safety, it will be necessary to barricade the portion of sidewalk along the south side of the site.

Install ch. NR 141 groundwater monitoring wells, as follows (see Figure 2 for the general well locations):

- One (1) well (to be labeled MW-5) will be installed within 10 feet of the concrete retaining wall to the southwest of existing well MW-3 to determine if free product is present and to delineate the extent and magnitude of the dissolved phase plume.
- One (1) well (to be labeled MW-6) will be installed within 10 feet of the concrete retaining wall to the southeast of existing well MW-2 to determine if free product is present and to delineate the extent and magnitude of the dissolved phase plume.

All of the monitoring well soil borings will be continuously sampled from the surface downward and field-screened for volatile contamination. Collect two (2) soil samples from each boring for laboratory analysis of petroleum volatile organic compounds (PVOCs) and naphthalene. The laboratory samples (4 total) will be collected from 1) the 0 to 4-foot depth interval if high field-screening levels and petroleum odors are detected and/or the zone of highest obvious contamination (typically the water table smear zone) and 2) the bottom of the well borehole.

Collect one (1) additional soil sample from each boring for laboratory analysis of grain-size distribution. The samples (2 total) will be collected from the “smear” zone at approximately the 9 to 11-foot depth interval (see boring logs for GP-2, GP-7, and GP-8 in the “copy shop” document package).

Complete boring logs, well construction diagrams, and well development forms for all newly constructed wells. Installation and development of the wells must comply with ch. NR 141, Wis. Adm. Code. Soils must be characterized and field screened for volatile contamination throughout the entire length of the borings.

All new monitoring well ground surface and measuring point elevations must be surveyed relative to site datum and the new wells must be accurately located relative to the existing site monitoring wells. Prepare revised site maps that show accurate well locations.

TASK 2: Shallow Soil Contamination Evaluation

Obtain a historical site layout map and/or aerial photo that shows the locations of the former ASTs, pump house, product transfer pipes, etc. Submit the map and/or photo before mobilizing to the site to begin drilling.

Using direct-push methods, sample six (6) soil borings to evaluate the degree and extent of shallow residual soil contamination beneath the former AST system. The borings will be drilled and sampled beneath the footprint of each former AST (one boring per AST). (See Figure 2 for general boring locations). For bidding purposes assume that four (4) borings will extend to 8 feet bgs, and two (2) borings will extend to 12 feet bgs.

Additional borings may be requested at locations to be specified by the DNR based on the historical map and/or aerial photo. The bid cap will be adjusted accordingly.

All of the soil borings will be continuously sampled from the surface downward, field-screened for volatile contamination, and documented on borehole log forms. Collect two (2) soil samples from each boring (20 samples total) for laboratory analysis of PVOCs and naphthalene. The laboratory samples will be collected from 1) the 0 to 2-foot depth interval and 2) the 2 to 4-foot depth interval. Submit a sample (6 total) from the 0 to 2-foot depth interval in each AST boring for laboratory analysis of polynuclear aromatic hydrocarbons.

Collect one (1) additional soil sample from each of the 12-foot borings for laboratory analysis of grain-size distribution. The grain-size samples (2 total) will be collected from the “smear” zone at approximately the 8 to 10-foot depth interval near the northern-most former AST to the 9 to 11-foot depth interval near the southern-most former AST. (See boring logs for GP-4, B-1, GP-5, GP-6, and B-2 in the “copy shop” document package).

TASK 3: Free-Product Characterization Sampling

During Task 1 (groundwater monitoring well installation) and Task 4 (groundwater and free-product monitoring) measure and tabulate both groundwater and free-product surface elevations in all wells with product, the date, and amount of product in each well (inches).

Bail and containerize the free-product and record the volume removed from each and every well. Approximately 7.5 gallons total were bailed from MW-1, MW-2, and MW-4 during the July 2004 sampling event, when free-product was historically thickest.

Collect a free-product sample and a groundwater sample from MW-4 and have both laboratory analyzed for density (ASTM D1481), viscosity (ASTM D445), surface tension and LNAPL-water interfacial tension (ASTM D971). Measure and record the free-product and groundwater samples' *in situ* temperature (i.e., temperature immediately after collection). Also, have the product sample “finger-printed” and obtain a chromatogram from the laboratory.

TASK 4: Groundwater and Free-Product Monitoring

Develop the two new wells and conduct four (4) quarterly rounds of groundwater samples for laboratory analysis, as follows.

Well	1st round	2nd round	3rd round	4th round
New monitoring wells (MW-5 and MW-6)	Yes	Yes	Yes	Yes
Existing monitoring wells (MW-1 through MW-4)	No	Yes	No	Yes

To sample the free-product wells, purge the free-product, then the groundwater, and then collect the groundwater sample. No obvious free-product should be included in the sample. The purpose of sampling the free-product wells is to qualitatively evaluate the degree of dissolution of petroleum constituents into groundwater.

Analyze the groundwater samples for PVOCs and naphthalene.

Prepare water table maps showing groundwater flow for each sampling round.

TASK 5: Hydraulic Conductivity Testing

Baildown-recovery test the two new wells (MW-5 and MW-6) and existing well MW-1.

Containerize the purged fluids for proper disposal.

TASK 6: Waste Disposal

Properly **dispose** of all wastes generated from all activities conducted under this bid scope, and provide all waste disposal documentation. For bidding purposes, an estimate of the number of drums has been included in the Page 2 table of this bid specification. If necessary, the bid cap will be adjusted based on actual drums of waste disposed.

TASK 7: Reports and Documentation

Prepare a brief initial report documenting the drilling activities, including soil sampling results, the first quarter of groundwater sampling results, free-product measurements and removal volumes, groundwater elevation and flow, hydraulic testing results, and all appropriate field forms. Submit the initial report before the 2nd quarterly groundwater sampling event.

Upon completion of all site work, prepare a comprehensive final report documenting all Task 4 groundwater sampling activities, and any activities and documents not included in the first report.

The report will include groundwater elevation and flow maps; geologic cross-section(s) depicting the stratigraphy and contamination distribution at the site, based on the new soil boring/monitoring well data; isoconcentration maps of residual soil and groundwater contamination; updated tables/maps that effectively present the soil and groundwater contamination data for all affected properties; concentration trend analyses; and all appropriate and required field forms, maps, tables, laboratory reports, etc., required under NR 716.15.

The final report must be submitted to the WDNR (copy to Commerce) no later than three (3) months after completion of the bid scope of work.

TASK 8: Web reporting

See <http://commerce.wi.gov/ER/ER-PECFA-SiteReporting.html>.

Regarding the 2nd Page of the Bid Response:

If necessary, subsequent cost caps may be determined using page 2 following the successful completion of the activities under the initial cost cap. Approval shall be obtained through a request to Commerce (the DNR Project Manager shall be copied) for a change order. The request shall include total costs incurred to date under the existing cap. The subsequent cost cap amount may be adjusted up (or down) based on the outcome of the specified work activities.

3) Reporting Timeframes:

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

4) Claim Submittal:

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

B) Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or

interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 3 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 4 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 5 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

- 1) Failed to complete the scope of work within the reimbursement cost cap established through public bidding.

- 2) Failed to complete the scope of work in a bid in a timely manner.
- 3) Failed to follow DNR rules on the bid project.
- 4) Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
- 5) In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
- 6) Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
- 7) Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: North West Properties III LLC
COMMERCE #: 53403-3359-00
BRRTS #: 03-52-152689

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE
(2nd Page)

Department of Commerce PECFA Program

SITE NAME: North West Properties III LLC
COMMERCE #: 53403-3359-00
BRRTS #: 03-52-152689

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Installation, development, and survey of 2 groundwater monitoring wells, and specified lab soil analyses	\$
2	Drilling and sampling of 6 soil borings (assume 56 feet) under former ASTs, and specified lab soil analyses	\$
3a	Free-product and groundwater measurements, and bailing	\$
3b	Free-product sampling and specified lab analyses	\$
4	Four quarterly groundwater sampling events with specified lab groundwater analyses	\$
5	Hydraulic conductivity testing of 3 wells	\$
6a	Waste disposal – soil (assume 3 drums)	\$
6b	Waste disposal – groundwater (assume 6 drums)	\$
6c	Waste disposal – free-product (assume 1 drum)	\$
7a	Initial report and documentation	\$
7b	Final report and documentation	\$
8	Web reporting	\$
9	PECFA Claim Preparation	\$
Total Bid Amount		\$